IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 18TH DECEMBER 2006 / 27TH AGRAHAYANA 1928

Bail Appl..No. 7391 of 2006()

CRIME NO.11/06 OF ERATTUPETTA EXCISE RANGE.

PETITIONER/ACCUSED

SUNNY, S/O.JOHN,
KADUKKATH CHALIL HOUSE, THALANADU KARA,
MOONNILAVU VILLAGE, MEENACHIL TALUK,
KOTTAYAM DISTRICT.

BY ADV. SRI.GEORGE MATHEW
SRI.A.V.TELLES

RESPONDENTS:

STATE OF KERALA, REP. BY EXCISE
INSPECTOR, ERATTUPETTA, PALAI RANGE,
THROUGH PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 18/12/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

- - - - - - - - - - - - - - - - - -

BAIL APPLICATION NO. 7391 OF 2006

- - - - - - - - - ----------- - - - - -

DATED THIS THE 18TH DAY OF DECEMBER, 2006

O R D E R

In this Petition filed under Sec. 439 Cr.P.C. the petitioner who is the accused in Crime No.11/06 of Erattupetta Excise Range for an offence punishable under Section 55(a) of the Abkari Act for having been found in possession of 15 liters of IMFL (40 bottles) on 1.10.2006 seeks his enlargement on bail. The petitioner surrendered on 28.11.2006.

2. I heard the learned counsel for the petitioner and the learned Public Prosecutor.

3. Having regard to the nature of the offences, the duration of judicial custody of the petitioner and the other circumstances of the case etc., I am inclined to grant bail to the petitioner with effect from 23.12.2006. Accordingly, the petitioner is directed to be released on bail with effect from 23.12.2006 on his executing a bond for Rs.20,000/- (Rupees twenty thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M., Erattupetta and subject to the following conditions:

1. Petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

2. The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

3. The petitioner shall not commit any offence while on bail.

If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

V.RAMKUMAR, JUDGE.

dsn